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LEGISLATIVE HISTORY

Public Law 86-423  
H. R. 8343

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INDEX AND SUMMARY OF H. R. 8343

- July 23, 1959 Sen. Kerr introduced S. 2432 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced.
- Rep. Albert introduced H. R. 8343 which was referred to the House Agriculture Committee. Print of bill as introduced.
- Aug. 27, 1959 House committee reported H. R. 8343 with amendment. H. Report No. 1074. Print of report only, bill as reported not received by this Office.
- Sept. 7, 1959 House passed H. R. 8343 under suspension of the rules.
- Sept. 8, 1959 H. R. 8343 was referred to the Senate Agriculture and Forestry Committee. Print as referred.
- Feb. 17, 1960 Senate committee reported H. R. 8343 with an amendment. S. Report No. 1093. Print of bill and report.
- Mar. 28, 1960 Senate passed H. R. 8343 as reported.
- Mar. 31, 1960 House agreed to Senate amendment to H. R. 8343.
- Apr. 9, 1960 Approved: Public Law 86-423.



## DIGEST OF PUBLIC LAW 86-423

TRANSFER OF ACREAGE ALLOTMENTS. Amends the Agricultural Adjustment Act of 1938 so as to provide a uniform law for the transfer of acreage allotments to new farms when a farm is taken by a public agency having the power of eminent domain. Under this law, if the owner of the land acquired by the public agency is permitted by that agency to continue to occupy and operate it under lease for some period of time, he will be permitted to continue to grow crops subject to allotment at the time title was acquired by the public agency. Amends section 125 of the Soil Bank Act so as to provide that the restrictions on the leasing of farmlands owned by the Federal Government for the production of price supported crops in surplus supply shall not be applicable to the leasing of such farmlands to the former owners of the land.





S. 2432

IN THE SENATE OF THE UNITED STATES

January 10, 1911.

REPORT  
OF THE  
COMMISSIONER OF THE GENERAL LAND OFFICE,  
UNITED STATES DEPARTMENT OF THE INTERIOR,  
IN RESPONSE TO A RESOLUTION OF THE SENATE,  
PASSED MAY 1, 1909.

A BILL

TO  
AMEND THE ACT OF MARCH 3, 1879,  
RELATIVE TO THE LANDS BELONGING TO THE  
UNITED STATES, AND TO  
FOR THE PURPOSE OF  
REPEALING THE ACT OF MARCH 3, 1879,  
AND TO  
REPEAL THE ACT OF MARCH 3, 1879,  
AND TO  
REPEAL THE ACT OF MARCH 3, 1879,



# S. 2432

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## IN THE SENATE OF THE UNITED STATES

JULY 23, 1959

Mr. KERR (for himself and Mr. MONRONEY) introduced the following bill;  
which was read twice and referred to the Committee on Agriculture and  
Forestry

---

## A BILL

Relating to the preservation of acreage allotments on land  
from which the owner is displaced by reason of the acquisition thereof by a governmental agency in the exercise of the right of eminent domain.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 378 (a) of the Agricultural Adjustment Act  
4       of 1938, as amended (7 U.S.C. 1378 (a)), is amended  
5       by adding at the end thereof the following new sentence:  
6       “The former owner of land acquired as described in this  
7       subsection shall not be considered for the purposes hereof  
8       to have been displaced from such land during any period  
9       for which such land is leased to such former owner.”

1        SEC. 2. Section 125 of the Soil Bank Act (7 U.S.C.  
 2    1813) is amended by adding at the end thereof the follow-  
 3    ing new sentence: "The provisions of this section shall not  
 4    be applicable with respect to the leasing of such farmlands  
 5    to the former owners thereof."

86TH CONGRESS  
 1ST Session

S. 2432

## A BILL

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a governmental agency in the exercise of the right of eminent domain.

By Mr. KERR and Mr. MONRONEY

JULY 23, 1959

Read twice and referred to the Committee on  
 Agriculture and Forestry

86TH CONGRESS  
1ST SESSION

# H. R. 8343

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## IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1959

Mr. ALBERT introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 378 (a) of the Agricultural Adjustment Act of  
4       1938, as amended (7 U.S.C. 1378 (a) ), is amended by  
5       adding at the end thereof the following new sentence: "The  
6       former owner of land acquired as described in this subsection  
7       shall not be considered for the purposes hereof to have been  
8       displaced from such land during any period for which such  
9       land is leased to such former owner."

1        SEC. 2. Section 125 of the Soil Bank Act (7 U.S.C.  
2    1813) is amended by adding at the end thereof the follow-  
3    ing new sentence: "The provisions of this section shall not  
4    be applicable with respect to the leasing of such farmlands  
5    to the former owners thereof."

86TH CONGRESS  
1ST SESSION

H. R. 8343

## A BILL

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

By Mr. ALBERT

JULY 23, 1959

Referred to the Committee on Agriculture







evacuation program of Civil Defense officials, and stated that he opposed and objected to restoration of the money to the bill which is now in conference. pp. 15708-9

The supplemental appropriation estimate of the President for the Office of Civil and Defense Mobilization (S. Doc. 49 - see Digest 146) requests \$9,000,000 to be allocated for expenses necessary to discharge such civil defense and defense mobilization functions performed by other Federal agencies, as may be designated by OCDM, including \$477,000 for this Department.

11. WHEAT. Sen. Young, N. D., discussed a recent Newsweek article entitled "Wheat Controls", criticized the practices of the Chicago Board of Trade, and inserted publications substantiating his views. pp. 15740-1
12. MINERALS. Sens. Bartlett and Gruening analyzed and criticized the veto message on H. R. 6940, a bill to increase the acreage which can be held in Alaska under oil and gas leases. pp. 15760-4
13. SURPLUS FOOD. Sen. Randolph urged the Senate to pass food stamp legislation and inserted a newspaper editorial commending the House passage of such a bill as an amendment to the extension of the Agricultural Trade Development and Assistance Act. p. 15764
14. APPROPRIATIONS. Sen. Dirksen criticized the new table on the back page of the Congressional Record captioned "Table II.--New Obligational Authority Provided Outside the Appropriation Process (So-called Back Door Financing)." pp. 15703-4

#### HOUSE

15. HOGS. The Agriculture Committee reported with amendment H. R. 8394, to authorize the Secretary to make market payments on lightweight hogs (H. Rept. 1063). p. 15840
16. RICE. The Agriculture Committee reported without amendment H. R. 7889, to require marketing quotas for rice when the total supply exceeds the normal supply, (H. Rept. 1064). p. 15840
17. HOUSING. Passed, 283 to 105, without amendment S. 2539, the new housing bill (pp. 15769-808). Prior to passage of the bill, the House rejected, 156 to 231, a motion to recommit with instructions to delete certain provisions (pp. 15806-7). This bill will now be sent to the President. As passed, the bill extends the farm housing research program for 2 years and authorizes the expenditure of \$100,000 for farm housing research during the period July 1, 1959 to June 30, 1961. Rep. Brown, Ga., stated that "The farm housing research program may well help us find the answer to the problem of how to provide better farm housing at a lower cost and how to improve financing sources for farm housing (p. 15781).
18. CLAIMS. Concurred in the Senate amendments to H. R. 6000, to amend title 28 of the U. S. Code so as to increase the limit for administrative settlement of claims against the U. S. under the tort claims procedure from \$1000 to \$2500 (pp. 15768-9). The Senate amendment increased the limit from \$2000 (as passed by the House) to \$2500, while the bill as introduced provided for an increase to \$3000. This bill will now be sent to the President.

19. RECLAMATION; WATERSHEDS. Concurred in the Senate amendments to H. R. 968, to provide for the construction by Interior of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Oregon (p. 15810). This bill will now be sent to the President.

Received from the Army Department a letter from the Corps of Engineers submitting a report on McKinney Bayou, Red River Basin, Ark. (H. Doc. 220). p. 15840

The "Daily Digest" states that it erroneously stated that the Interior and Insular Affairs Committee on Aug. 26 voted to report S. 281, relating to the construction of a reservoir at the Burns Creek site in the upper Snake River Valley, Idaho. Instead, the Committee voted to report (but did not actually report) S. 2181 (amended), to amend the Mineral Leasing Act of 1920, so as to modify oil, gas, coal, and certain other mineral leasing requirements and conditions. p. D838

The Agriculture Committee reported without amendment H. R. 4781, to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture, in connection with the eleven watershed improvement programs authorized by the Flood Control Act of 1944, to prosecute additional works of improvement for the conservation, development, utilization and disposal of water, and to make loans or advancements to State and local agencies to finance the local share of costs of works of improvement provided in watershed work plans (H. Rept. 1063). p. 15840

The "Daily Digest" states that the Agriculture Committee approved plans for watershed projects in Fla., Ga., Ky., Tenn., Mass., Nebr., N. Mex. Ore., Penna., Texas, and Conn. p. D838

20. FAIRS; INFORMATION. Conferees were appointed on H. R. 3374, to authorize appropriations for Federal participation in the Century 21 Exposition to be held in Seattle, Wash., in 1961 (including USDA participation) (pp. 15772-3). Senate conferees have not yet been appointed.
21. FARM-CITY WEEK. The "Daily Digest" states that the Judiciary Committee tabled H. J. Res. 482 and 484 designating a National Farm-City Week. p. D838
22. MINERALS; LEASING. The Interior and Insular Affairs Committee reported with amendment H. R. 2181, to amend the Mineral Leasing Act of 1920, so as to modify oil, gas, coal, and certain other mineral leasing requirements and conditions (H. Rept. 1062) (p. 15840). (See item 19 for previous action on this bill.)
23. ACREAGE ALLOTMENTS; LANDS. The Agriculture Committee reported with amendment H. R. 8343, to permit the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain (H. Rept. 1074). p. 15840
24. RADIATION; CIVIL DEFENSE. Rep. Holifield and others discussed the civil defense program and the effects of nuclear fallout on humans, food, and animals. pp. 15816-22
25. FOREIGN TRADE. Rep. Bailey commended a resolution being considered by



## ACQUISITION OF CROPLAND BY EMINENT DOMAIN

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AUGUST 27, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture submitted the following

### R E P O R T

[To accompany H.R. 8343]

The Committee on Agriculture to whom was referred the bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Page 1, line 9, strike out the period and the quotation marks and insert a colon and the following:

*Provided*, That the occupancy of the former owner under the lease follows immediately after his occupancy as owner: *And provided further*, That if a former owner has been displaced prior to the effective date of this amendment and no allotment from the land owned by such former owner has been transferred from the allotment pool and such former owner leases the land formerly owned by him prior to one year from the effective date of this amendment such allotment shall be retransferred from the pool to such land and the occupancy of such former owner under the lease for the purposes of this subsection shall be deemed to have begun immediately after his displacement as owner. The provisions of subsections 344(m)(2), 353(e), and 358(g) shall not be applicable to allotments on lands held under the lease by a displaced owner which are subject to the provisions of this amendment.

## PURPOSE OF THE BILL

The purpose of this bill is to correct an inadvertent inequity which occurred in connection with enactment in 1958 of Public Law 85-835, providing a uniform law for the transfer of acreage allotments to new farms when a farm is taken by a public agency having the power of eminent domain. Under this bill, if the owner of the land acquired by the public agency is permitted by that agency to continue to occupy and operate it under lease for some period of time, he will be permitted to continue to grow crops subject to allotment at the time title was acquired by the public agency.

## NEED FOR THE LEGISLATION

In connection with the acquisition of farmlands for some public purposes, such as for reservoirs, it is the practice of agencies acquiring the land to permit the former owner to occupy it and continue farming operations under lease until such time as the land is actually needed for the purpose acquired. In some instances this may be a period of 4 or 5 years or more.

In Public Law 85-835 Congress provided a uniform law under which owners of such lands growing allotted crops could, within a specified time and under certain conditions, obtain similar allotments on new farms acquired by them.

In setting up the procedures to carry out this provision, Congress stipulated that upon the acquisition of any such land by a Federal, State, or other agency having the right of eminent domain, any acreage allotment thereon should be placed in an "allotment pool" and "shall be available only for use in providing allotments for other farms owned by the owner so displaced." By providing for the immediate transfer of the allotment to the pool and its use only for providing allotments for "other farms" owned by the owner so displaced, the law inadvertently prevents a farmer from continuing his usual farming operations under the lease arrangement above referred to. Obviously, Congress had no such intention in enacting the uniform acreage transfer law.

## COST OF THE PROGRAM

There would be no additional cost as the result of this legislation nor would there be any additional acres planted to allotted crops. The allotments dealt with are already in existence and being planted and, even if the provisions of Public Law 85-835 are not changed, the acreage will go into an allotment pool and be available for allotment pursuant to the provisions of that act.

## COMMITTEE AMENDMENT

The committee amendment makes three substantive changes in the bill: (1) that the provisions of the bill after the date of its enactment, will apply only to owners whose occupancy of the land is continuous; (2) that if the previous owner was displaced prior to the enactment of this amendment but has not acquired any acreage allotment under provisions of Public Law 85-835, his occupancy will be deemed to be continuous if he leases his former farm within

1 year after the enactment of this amendment; (3) that any allotment held by a former owner under provisions of this amendment will not be subject to release and reapportionment to other producers in the same county.

The committee assumes that in implementing this new amendment the Secretary will make suitable regulations to cover those situations where a part of the farm has been leased under the circumstances covered by the amendment.

#### DEPARTMENTAL POSITION

The Department of Agriculture reported adversely on this bill but its objections were based largely on deficiencies in the bill which the committee believes have been remedied by the adoption of the committee amendments. Following is the text of the Department's report:

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., August 24, 1959.*

HON. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request dated July 24, 1959, for a report on H.R. 8343, a bill relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

This bill would amend section 378(a) of the Agricultural Act of 1958 and section 125 of the Soil Bank Act to provide:

(1) That a former owner of land taken by an agency having the right of eminent domain shall not be considered as being displaced (for purposes of pooling such allotment for later transfer to another farm) during any period such land is leased back to the former owner, and,

(2) That the issuance of restrictive leases (denying the right to grow price-supported crops in surplus supply on Government-owned land would not be applicable during any period Government-owned land is leased to its former owner.

We oppose enactment of this legislation. Present law provides that the date of displacement occurs when an owner (1) voluntarily relinquishes possession of the land, or (2) is required to relinquish possession, even though he may be permitted to continue to operate the land under lease or rental agreement.

The basic purpose of section 378 is to afford owners of farms with acreage allotments a reasonable opportunity to continue the production of such commodities if their land is taken by an agency having the right of eminent domain. This is accomplished by pooling the allotments at the time of displacement and providing equitable and comparable allotments for other farms owned or purchased by the displaced owner if he so applies within 3 years of date of displacement. The purpose of section 125 and related executive orders is to restrict the production on Government-owned land of allotment and other price supported crops which are in surplus supply.

We feel that the existing provisions of law are generally fair and equitable to both the displaced owners and to the Government. "Displacement" logically takes place when a person no longer occupies



land as the owner inasmuch as title has passed to the agency which acquired it under eminent domain, reimbursement has been provided for the former owner, and he does not occupy the land as owner and only at the sufferance, and under conditions prescribed by, the agency. Such land is definitely owned by the agency and if the agency is a Federal one and the land is to be rented, the lease should prohibit the further production of price supported commodities already in surplus supply.

The enactment of this bill would create substantial recordkeeping burdens since, in many instances, the former owners would be permitted to lease for many years the land which they formerly owned, usually on a year-to-year basis. Also, it is not clear that the provisions of this bill are not intended to apply to portions of total areas taken by eminent domain. If such is its intent, the resultant administrative burden of separating out and maintaining records on individual tracts would be burdensome. Another major objection is that the bill as worded would permit a former owner to lease back land which he previously owned and grow price-supported crops even though he had not farmed such land continuously since its acquisition.

Numerous applications of present section 378 have been made since it has been in effect. Since the provisions of this bill are not retroactive, and could not logically be made retroactive, enactment would create inequities between owners "displaced" before and after enactment.

The Bureau of the Budget advises that there is no objection to the furnishing of this report.

Sincerely yours,

MARVIN L. McLAIN, *Acting Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

\* \* \* \* \*

#### PRESERVATION OF UNUSED ACREAGE ALLOTMENTS

\* \* \* \* \*

SEC. 378. (a) Notwithstanding any other provision of this Act, the allotment determined for any commodity for any land from which the owner is displaced because of acquisition of the land for any purpose, other than for the continued production of allotted crops, by any Federal, State, or other agency having the right of eminent domain shall be placed in an allotment pool and shall be available only for use in providing allotments for other farms owned by the owner so displaced. Upon application to the county committee, within three years after the date of such displacement, or three years after the enactment of this section, whichever period is longer, any owner so displaced shall be entitled to have established for other farms

owned by him allotments which are comparable with allotments determined for other farms in the same area which are similar except for the past acreage of the commodity, taking into consideration the land, labor, and equipment available for the production of the commodity, crop-rotation practices, and the soil and other physical factors affecting the production of the commodity: *Provided*, That the acreage used to establish or increase the allotments for such farms shall be transferred from the pool and shall not exceed the allotment most recently established for the farm acquired from the applicant and placed in the pool. During the period of eligibility for the making of allotments under this section for a displaced owner, acreage allotments for the farm from which the owner was so displaced shall be established in accordance with the procedure applicable to other farms, and such allotments shall be considered to have been fully planted. After such allotment is made under this section, the proportionate part, or all, as the case may be, of the past acreage used in establishing the allotment most recently placed in the pool for the farm from which the owner was so displaced shall be transferred to and considered for the purposes of future State, county, and farm acreage allotments to have been planted on the farm to which allotment is made under this section. Except where paragraph (c) requires the transfer of allotment to another portion of the same farm, for the purpose of this section (1) that part of any farm from which the owner is so displaced and that part from which he is not so displaced shall be considered as separate farms; and (2) an owner who voluntarily relinquishes possession of the land subsequent to its acquisition by an agency having the right of eminent domain shall be considered as having been displaced because of such acquisition. *The former owner of land acquired as described in this subsection shall not be considered for the purposes hereof to have been displaced from such land during any period for which such land is leased to such former owner.*

(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of the commodity from the farm acquired by the Federal, State, or other agency or by the owner of the farm; (2) any of the commodity produced on such farm has not been accounted for as required by the Secretary; or (3) the allotment next established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of the commodity produced on or marketed from such farm or due to a false acreage report.

(c) This section shall not be applicable, in the case of cotton, tobacco, and peanuts, to any farm from which the owner was displaced prior to 1950, in the case of wheat and corn, to any farm from which the owner was displaced prior to 1954, and in the case of rice, to any farm from which the owner was displaced prior to 1955. In any case where the cropland acquired for nonfarming purposes from an owner by an agency having the right of eminent domain represents less than 15 per centum of the total cropland on the farm, the allotment attributable to that portion of the farm so acquired shall be transferred to that portion of the farm not so acquired.

(d) Sections 313(h), 334(d), 344(h), 353(f), and 358(h) of the Agricultural Adjustment Act of 1938, as amended, are repealed, but any transfer or reassignment of allotment heretofore made under the provisions of these sections shall remain in effect, and any displaced

farmowner for whom an allotment has been established under such repealed sections shall not be eligible for additional allotment under subsection (a) of this section because of such displacement.

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### AGRICULTURAL ACT OF 1956

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1956".*

### TITLE I—SOIL BANK ACT

SEC. 101. This title may be cited as the "Soil Bank Act".

\* \* \* \* \*

### PRODUCTION ON GOVERNMENT LANDS PROHIBITED

SEC. 125. The President shall, with respect to farmlands now or hereafter owned by the Federal Government, restrict insofar as practicable the leasing of such lands for the production of price supported crops in surplus supply. Nothing contained in this section shall prevent the production of such crops on national wildlife refuges under cooperative permits where such production is necessary to maintain satisfactory wildlife populations, especially of waterfowl for beneficial use. *The provisions of this section shall not be applicable with respect to the leasing of such farmlands to the former owners thereof.*













# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

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Issued September 8, 1959  
For actions of September 7, 1959  
86th-1st, No. 157

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HIGHLIGHTS: Senate passed Public Law 480 bill. House passed bills to: Increase salaries of Administrative Assistant Secretaries; permit harvesting of hay on conservation reserve acreage in drought areas.

### HOUSE

- 1. SOIL BANK; DISASTER RELIEF.** Passed as reported H. R. 8578, to amend the Soil Bank Act so as to authorize the Secretary to permit the harvesting of hay on conservation reserve under certain conditions (p. 16901). The bill would authorize the Secretary to permit the cutting and local sale of hay on conservation reserve (crops on which cannot be harvested) acreage by the ASC county committee in cases of natural disasters.
- 2. PERSONNEL.** Passed as reported S. 1845, to revise the basic rates of compensation for certain Government positions (pp. 16908-9). The bill as passed includes the following provisions: Increases the salaries of certain Administrative Assistant Secretaries, including this Department, to \$19,000 per annum. Authorizes the Secretary of Agriculture to establish not more than 15 scientific research and development positions in the Department under Public Law 313 at salaries between \$12,500 and \$19,000 (this represents an increase of 10 such



positions for this Department). Removes the position of Administrator of the Agricultural Research Service from the Executive Pay Act of 1956 and permits his salary to be fixed within the salary range under Public Law 313. Authorizes the Secretary of the Treasury to establish an additional 114 positions, on a graduated scale, in grades 16, 17, and 18. Reduces the number of positions in grades 16, 17, and 18 available to the Civil Service Commission for allocation to the departments and agencies by 87 as a result of allocation of additional positions to Treasury. Authorizes an additional 5 Public Law 313 positions for the Department of Health, Education and Welfare.

3. TRAVEL. Debated H. R. 5196, to increase, from \$12 to \$15, the maximum rates of per diem allowance for regular Government employees on official business (pp. 16916-21). The House voted 73 to 17 to suspend the rules and pass the bill, but on the ground that a quorum was not present, Rep. Barry objected to the vote, and the final vote was postponed until today (Sept. 8) (p. 16920)
4. AGRICULTURAL ATTACHES. Passed over, at the request of Rep. Gross, H. R. 8074, to permit the assignment of agricultural attaches to duty in the U. S. for a maximum of four years without reduction in grade. p. 16898
5. ACREAGE ALLOTMENTS. Passed, under suspension of the rules, H. R. 8343, relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain (pp. 16914-5). Rep. Albert stated that the bill "would make it compulsory for the Government to give a man whose land has been taken over" by the Government his farm acreage allotment on that land if he leases it back from the Government (pp. 16914).
6. FARM PROGRAM. Rep. McGovern expressed regret at what he termed the "few voices ... championing the cause of the present day farmer," and charged that Secretary Benson "seems to have enlisted on the side of the detractors rather than the defenders." He announced his intention to speak today (Sept. 8) on the "weaknesses in the Benson farm policies." pp. 16957-8
7. EXECUTIVE PRIVILEGE; INFORMATION. Rep. Meader charged that Congress is having increasing difficulties in making intelligent judgments because of "a refusal on the part of agencies and departments of the Government to provide information to Congress and inserted an article on the subject. pp. 16921-2  
Rep. Udall commended and inserted an article, "A Call for Quick Action ... Editors Must Cooperate with Congressmen in the Fight to Open Records of Government Agencies." pp. 16947-8
8. MINERALS. Conferees were appointed on S. 2181, to amend the Mineral Leasing Act of 1920 so as to modify oil, gas, coal, and certain other mineral leasing requirements and conditions (p. 16897). Senate conferees have already been appointed.
9. COCONUT OIL. Passed over, at the request of Rep. Gross, H. J. Res. 441, relating to the disposition of coconut oil from the national stockpile under the Strategic and Critical Materials Stock Piling Act. p. 16897
10. WILDLIFE. Passed over, at the request of Rep. Weaver, H. R. 2565, to promote effectual planning, development, maintenance, and coordination of wildlife, fish and game conservation and rehabilitation in military reservations. p. 16898  
Passed over, at the request of Rep. Rivers, H. R. 7045, to authorize the establishment of the Arctic Wildlife Range, Alaska. p. 16898



Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am happy to yield to the gentleman.

Mr. BURLESON. I have noticed now within the last few days in reading some publications, I do not know what, but supposedly about people who just simply differ in their opinions. The gentleman from Florida made reference to the office building of the other body. Some of them have called it the Taj Mahal. Some say it should be in the zoo. Without making any inference in any way, I have never seen the Taj Mahal, but I have seen the Senate Office Building and I have been to the zoo, and I reserve my opinion as to where it should be placed. But that has nothing to do with the people who occupy it or its functions. It is simply a matter of opinion. Now, that is what we are trying to avoid by this resolution. You see, in 5 or 6 years we hope there is a building. But in the meantime my colleague, the gentleman from Texas [Mr. THOMAS], who is on the Committee on Appropriations and I think a great many other members on the Committee on Appropriations will tell you that for the Congressional Library to carry out its function and meet the demands made upon it today, they are going to have to spend from \$500,000 to \$750,000 annually to procure about 300,000 square feet additional for storage and Library operation. I do not think we should pay out that rent. The Committee on Appropriations does not want to appropriate money for that purpose. So what we are trying to do, and I repeat what I said a little bit ago, is to have an orderly and sensible development so that when these plans in their preliminary stages are made ready, we can submit them to our Committee on Public Works.

The SPEAKER pro tempore (Mr. BONNER). The time of the gentleman has expired.

Mr. BURLESON. I am glad to yield the gentleman 3 additional minutes or as much time as I have.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. GROSS] is recognized for 3 additional minutes.

Mr. BURLESON. If I may continue in your time allotment, Mr. GROSS, these plans, in a very understandable and orderly way, will be submitted to the Committee on Public Works so that that committee can see exactly what is proposed, and if in their judgment, the request lacks substance, they can turn it down and that is all there is to it.

Mr. GROSS. Can the gentleman tell me how much space is presently occupied by Members of Congress, former Members of Congress, their favorites of one kind and another—I will withdraw the word "favorites" and say "preferential customers"?

Mr. BURLESON. There are 226 study rooms over there, all told. They average about 100 square feet per room. About 67 study rooms involve congressional assignments but that does not mean that 67 Members have study rooms. Some are assigned to committees and some are double rooms. It was brought out during hearings that less than 67 rooms are be-

ing used by individual Members. In fact, hearings developed that some of the space in those study rooms was being used for shelving seldom-used volumes. The question of allocating so-called study rooms to people plays a very minor part in the overall important question before us. It was set up that way in the beginning.

Mr. GROSS. I do not care about the beginning. Now we are confronted with a \$290 billion Federal debt.

Mr. BURLESON. Oh, yes, but we are interested in the beginning. We have to consider knocking out partitions and trying to do something about it. It is just like this glorious Capitol Building—if we had to build it over again there are many nooks and crannies that could be better utilized. There are many ornamental features that are now considered waste of space. But space was not at a premium then as it is today.

Mr. GROSS. The national debt was not at the premium then that it is today.

Mr. BURLESON. Of course, I agree with the gentleman on that; but if we are going to have a Library of Congress and if we continue to make demands on it, and if your constituents and mine are also going to make demands on it, then you have to have a place for the Library to expand and you have to have a place for the people to work. Such a conclusion is obvious.

Mr. GROSS. Let me ask the gentleman this question. Does he agree with his colleague, the gentleman from Texas [Mr. THOMAS] who stated that the rental for the space that they want would cost \$500,000 a year and that in 10 years they would have the building paid for? Does the gentleman agree with Mr. Thomas that this new building would cost \$5 million?

Mr. BURLESON. I do not know what it would cost. I cannot comment intelligently on the estimated total cost. I do not know exactly what his conclusions were. But I do know this, the cost for rental space is estimated to be a minimum cost of \$500,000 a year and that is not exactly hay in Texas or Iowa.

Mr. GROSS. I agree with you on that, but what is this building going to cost?

Mr. BURLESON. I do not know what it is going to cost. That is what we desire to find out; what it is going to cost, and what it is going to furnish as to the need as a public service.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HALEY. I might state to my distinguished friend, the gentleman from Texas, that the gentleman from Florida does have some concern because as I recall it the original resolution that was put through here several years ago for a building program on the Hill was originally for \$25,000. We now wind up with a cost of \$100 million. And if we are going to follow along in proportion to that of course this building and what you are going to do here is going to cost \$300 million.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

Mr. BURLESON. Mr. Speaker, I yield the gentleman an additional minute. Let me repeat to say for the fourth time that what we are trying to do is in an orderly way to bring something before the gentleman's committee so he can see what the cost will be and other details. We are trying to get it in such shape that the Appropriations Committee can take it from there. The gentleman will recall that appropriations were demanded for a Science Building and for the Atomic Energy Commission on the ground that it was an emergency. I do not doubt that it was, but that is what we are trying to avoid here; we are trying to avoid coming in under the plea of emergency.

Mr. GROSS. Some of us are trying to stop some of these buildings.

Mr. BURLESON. I understand that full well and the gentleman is to be complimented, not criticized for his attitude and effort, because I think there is opportunity to save money when things are not developed in an orderly way. This is an attempt at an orderly development, whether it comes to fruition five years or ten years from now, or next year; we are trying to be orderly about the proposal. It has yet to come before the Public Works Committee and the Appropriations Committee, and there will be ample time in which to discuss it.

Mr. SCHENCK. I would just like to point out that this resolution approaches these problems in a business-like manner and in the same way that any business would do in first making a complete survey of the need, location, and cost along with all details of the construction of any facility it may contemplate to build.

If after these studies are made the Committee on Public Works or the Committee on Appropriations does not feel that it is justified, then that is that. If the House in its wisdom approves such authorization it will then be up to the Committee on Appropriations to determine whether or not the appropriations are proper and in line with the authorization.

Mr. Speaker, I have no further requests for time.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. How much time has the gentleman from Ohio remaining?

The SPEAKER. The gentleman from Ohio has 9 minutes remaining.

Mr. GROSS. That is what I thought.

Mr. BURLESON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to suspend the rules and pass the bill.

The question was taken and the Chair announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Under the agreement of last Saturday further



proceedings under the call will go over until tomorrow.

(Mr. BURLESON, Mr. SCHENCK, and Mr. HALEY asked and were given permission to revise and extend their remarks made during the consideration of the bill.)

#### ACQUISITION OF CROPLAND BY EMINENT DOMAIN

Mr. ALBERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain, as amended.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 378(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1378(a)), is amended by adding at the end thereof the following new sentence: "The former owner of land acquired as described in this subsection shall not be considered for the purposes hereof to have been displaced from such land during any period for which such land is leased to such former owner: Provided, That the occupancy of the former owner under the lease follows immediately after his occupancy as owner: And provided further, That if a former owner has been displaced prior to the effective date of this amendment and no allotment from the land owned by such former owner has been transferred from the allotment pool and such former owner leases the land formerly owned by him prior to one year from the effective date of this amendment such allotment shall be retransferred from the pool to such land and the occupancy of such former owner under the lease for the purposes of this subsection shall be deemed to have begun immediately after his displacement as owner. The provisions of subsections 344(m) (2), 353(e), and 358(g) shall not be applicable to allotments on lands held under the lease by a displaced owner which are subject to the provisions of this amendment."*

SEC. 2. Section 125 of the Soil Bank Act (7 U.S.C. 1813) is amended by adding at the end thereof the following new sentence: "The provisions of this section shall not be applicable with respect to the leasing of such farmlands to the former owners thereof."

The SPEAKER pro tempore. Is a second demanded?

Mr. MCINTIRE. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection a second will be considered as ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, I yield myself such time as I may consume.

#### CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Does the gentleman from Iowa insist on his point of order?

Mr. GROSS. The gentleman from Iowa insists on his point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. BONNER). The Chair will count. [After

counting.] One hundred and thirty-five Members are present, not a quorum.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 167]

Abbott	Dulski	Madden
Addonizio	Evins	Marshall
Alger	Farbstein	Martin
Allen	Fenton	Miller, N.Y.
Anfuso	Fino	Minshall
Aspinall	Flynn	Moeller
Ayres	Flynt	Monagan
Bailey	Fogarty	Moorhead
Barden	Forand	Moulder
Barr	Ford	Multer
Barrett	Frazier	Nix
Bass, N.H.	Friedel	O'Brien, N.Y.
Bass, Tenn.	Fulton	O'Hara, Mich.
Baumhart	Gallagher	O'Neill
Becker	Gary	Osmers
Bentley	George	Passman
Betts	Glenn	Patman
Blatnik	Goodell	Perkins
Blitch	Gray	Philbin
Boggs	Green, Pa.	Poage
Boland	Griffin	Powell
Bolton	Hall	Price
Bosch	Hargis	Prokop
Bow	Harmon	Quigley
Bowles	Harris	Reuss
Boyle	Harrison	Riehlman
Brademas	Healey	Roberts
Brewster	Hébert	Rodino
Brock	Hemphill	Rostenkowski
Broyhill	Henderson	St. George
Buckley	Herlong	San Angelo
Burke, Ky.	Hess	Schwengel
Burke, Mass.	Hollfield	Sheppard
Bush	Holland	Sikes
Byrne, Pa.	Holtzman	Simpson, Pa.
Cahill	Horan	Smith, Va.
Canfield	Inouye	Spence
Cannon	Jarman	Staggers
Carter	Jennings	Taylor
Cederberg	Johnson, Md.	Teague, Tex.
Celler	Jonas	Teller
Cook	Jones, Ala.	Thomas
Cooley	Jones, Mo.	Toll
Corbett	Judd	Tollefson
Cramer	Kastenmeier	Tuck
Curtis, Mass.	Keith	Vanik
Daniels	Keogh	Van Pelt
Davis, Tenn.	Kilburn	Wainwright
Delaney	Kirwan	Watts
Dent	Kluczynski	Westland
Derouin	Lafore	Williams
Derwinski	Landrum	Wilson
Devine	Lesinski	Winstead
Diggs	Levering	Withrow
DoWinger	Loser	Yates
Donohue	McDonough	Younger
Dorn, S.C.	McDowell	Zelenko
Downing	Macdonald	

The SPEAKER. On this rollcall 262 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the rollcall were dispensed with.

#### ACQUISITION OF CROPLAND BY EMINENT DOMAIN

The SPEAKER. The gentleman from Oklahoma [Mr. ALBERT] is recognized.

Mr. ALBERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. MCINTIRE. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. MCINTIRE. Mr. Speaker I ask unanimous consent that the time allotted to me under the second be yielded to the gentleman from Iowa [Mr. HOEVEN].

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. GROSS. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Under suspension of the rules can time be allotted to a third party?

The SPEAKER. The gentleman from Maine asked unanimous consent that he be allowed to do it. The Chair put the request and there was no objection.

The gentleman from Oklahoma will proceed.

Mr. ALBERT. Mr. Speaker, H.R. 8343, which I have introduced and the Committee on Agriculture has reported, would amend section 378(a) of the Agricultural Act of 1958 and section 125 of the Soil Bank Act. Public Law 835 enacted in 1958 provided a uniform law for the transfer of acreage allotments to new farms when a farm is taken over by the Government under the right of eminent domain.

This law stipulated that upon the acquisition of such land by the Government, any acreage allotment upon it should be placed in an allotment pool and should be available to other farms owned by the displaced farmers. By providing for the immediate transfer of the allotment to the pool and its use limited to providing allotments for "other farms" owned by the displaced farmer, the law prevents a farmer from continuing to use his allotment in his operation under lease arrangement. Obviously this was not the intent of Congress in enacting the uniform acreage transfer law. It has been the Government policy under the law to ease the displacement blow somewhat by permitting farmers to lease back their lands until the Government actually had to take them over. But if a farmer cannot get the allotments back, the Government is leasing him back something far different than he had before the Government exercised its right of eminent domain.

H.R. 8343, in effect, would make it compulsory for the Government to give a man whose land has been taken over for a dam or similar project his farm allotment on that land when he leases it back from the Government for use. Under the present provisions of the law this is not compulsory.

The committee adopted three amendments to this bill:

First. Released reapportionment would not apply—allotments released by former owners would not be assigned to other producers in the same county. The cotton, rice, and peanut laws provide that a farmer will receive credit for planting his full acreage allotment if he releases his allotment for reapportionment in the county. That law would not apply to the allotments on these leased lands.

Second. The provisions of this bill will apply only to farmers whose occupancy has been continuous, and

Third. Any displaced farmer who has not acquired any acreage allotment under Public Law 835 may have his occupancy considered to have been continuous if he leases his former farm within 1 year of the enactment of this amendment.

No additional cost will result from this legislation nor would it result in added



acreage being planted in allotted crops. These allotments are already in existence and are being planted and even if Public Law 835 is not amended the acreage will go into an allotment pool and will be available for allotment under the provisions of that act. The allotment will be in existence even after the land is inundated.

It is simple justice to take care of people being displaced in the construction of Federal reservoirs. The Government, with or without the consent of the owners, purchases or condemns these lands. It is often times years before the actual flooding takes place and in the meantime the former owners are given a priority in leasing them. In the Eufaula Dam area in my district, and I am sure there are comparable situations throughout the country, some of the better land of the county is being taken over because bottom lands are taken when these big lakes are built. Some of the displaced farmers have farmed these lands since before statehood—50 or 60 years, with farms having come down through generations. The allotments on their land are geared to their farming operations. The farms are valueless without the allotments and conversion to any other kind of operation would require many years work and untold expense.

Another consideration is that unless farmers can begin now to plan for next year, they will be faced with the forced sale of their equipment at considerable loss since there will be so many sales in a short time. In addition, many farmers, and this is true in my district and others, are finding it practically impossible to find a farm to rent in so short a time.

It is important to remember that the amount of land devoted to these restricted crops in reservoir areas is relatively insignificant in terms of State and national acreage. Furthermore, these allotments have been planted for years and will not contribute to the surplus. But the loss of these crops is a personal disaster to the farmers involved and an economic blow to their areas. If the Government is to deal fairly and responsibly with a hardship situation created by Federal construction, it is compelling upon it to correct a problem which has arisen inadvertently through the enactment of Public Law 835.

Mr. Speaker, I reserve the balance of my time.

Mr. HOEVEN. Mr. Speaker, I reserve the balance of my time.

Mr. EDMONDSON. Mr. Speaker, this bill is necessary to correct a serious inequity in the law regarding acreage allotments in areas where farmers are displaced through exercise of eminent domain.

In our State of Oklahoma, where thousands of acres are being acquired for needed reservoir construction, we can substantially reduce the hardship of hundreds of our citizens under this proposal.

The able gentleman from Oklahoma [Mr. ALBERT], who is one of the greatest friends the American farmer has in Washington, has clearly explained the terms of the bill and its need to correct an injustice.

I join my colleague in urging favorable action on this bill.

Mr. ALBERT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

(Mr. ALBERT asked and was given permission to revise and extend his remarks.)

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD immediately preceding passage of the bill H.R. 8343, and that all Members may have 5 legislative days in which to extend their remarks in the RECORD on this legislation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### A TRIBUTE TO LABOR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 435, which I send to the Clerk's desk.

The Clerk read the House concurrent resolution, as follows:

Whereas American labor has raised its standards of productivity to heights unequaled in world history; and

Whereas the efforts of American labor have brought to this country a standard of living that has no parallel; and

Whereas American labor has served the Nation in peace and war; and

Whereas American labor has been a bulwark of freedom; and

Whereas the first Monday in September is traditionally set aside to commemorate the services of working men and women to our Nation: Therefore be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress does hereby express its deep realization and appreciation of the basic role that labor plays in our economy and of the contributions that American working men and women have made to America's well-being.*

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The question is on the House concurrent resolution.

The House concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

#### SUSPENSION OF THE RULES

Mr. McCORMACK. Mr. Speaker, I move to suspend the rules and pass House Resolution 379, which I send to the Clerk's desk.

The Clerk read the House resolution, as follows:

*Resolved, That it shall be in order for the Speaker at any time on Thursday, Sep-*

tember 10, 1959, and at any time during the remainder of the week, to entertain motions to suspend the rules, notwithstanding the provisions of clause 1, rule XXVII.

The SPEAKER. Is a second demanded?

Mr. HALLECK. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Mr. Speaker, is the gentleman opposed to the resolution?

Mr. HALLECK. No.

Mr. GROSS. Mr. Speaker, I demand a second.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, this resolution speaks for itself. I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, I yield myself such time as I may consume within 20 minutes.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I have no copy of this resolution before me. There is probably only one in existence and it is at the Speaker's desk. Let me ask the gentleman, this provides for suspensions over what period of time?

Mr. McCORMACK. Thursday, Friday, and Saturday of this week.

Mr. GROSS. This resolution, if adopted by the House, will give the leadership of the House authority to bring in legislation during those 3 days, regardless of what it is and without conforming to a rule of the House which provides that 6 days prior to adjournment, upon adoption of an adjournment resolution, suspensions may be in order.

Now you are asking for authority to bring in legislation at any time during the 3 days specified, without previous notification to the Members of the House, and without having adopted an adjournment resolution; is that correct?

Mr. McCORMACK. Well, the gentleman overlooks the fact—and I am sure when I call it to his conscious mind, he will appreciate it—that this does not abdicate authority. The leadership is very careful in regard to it. Any bill that is brought up on this basis has to receive the approval of the Speaker, of the minority leader, and the majority leader. Even if anyone does not approve of it, the bill will not come up. That is an arrangement that we have had throughout the years from time to time.

Mr. GROSS. If who does not approve of it?

Mr. McCORMACK. Any one of the leadership. I might advise my friend—and I am sure he will remember it—that the leadership does not exercise that as an arbitrary power. The Speaker and I do not put down bills on the list, on the agenda, without consulting with the Democratic Members, and then seeing



that the Republican Members are consulted with. And, the Republican leader naturally does the same thing. So, this resolution thoroughly protects the rights of the Members and, as I said before, when I submitted my unanimous consent request last week, insofar as it is humanly possible for me, as majority leader, I will announce the day before the bills intended to be brought up under suspension. That is only after screening.

Mr. GROSS. I am glad—please do not take quite all of my time—that the gentleman says insofar as it is humanly possible to do so, which may have some meaning and it may not have any meaning whatever. In other words, it is entirely within the discretion of the gentleman on any one of those 3 days to call up a bill without previous notice of any kind.

Mr. McCORMACK. No. The matter of discretion and the exercise of discretion are two different things. Now, the gentleman recognizes that.

Mr. GROSS. I hope the Members of the House understand what suspension of the rules means, and I am sure they do, but I want to remind them that it means exactly what is stated; all rules are suspended. You cannot offer an amendment. Debate is limited to 40 minutes and strictly controlled. The House cannot work its will. Not even a motion to recommit is in order. There is a bill coming up, a highly controversial bill, this afternoon under suspension. That bill should never have been brought here under suspension.

Mr. McCORMACK. Under suspension.

Mr. GROSS. I do not want to belabor this issue, but I am unalterably opposed to this method of legislating. Let me say to the Members of the House that I have heard some of you say that it would be well if we could abolish the last 2 weeks of the session because of some of the legislation that goes through. And I point out that this resolution is before you now without the slightest previous notice or warning. Vote for this resolution and you can expect to get some more of that legislation, legislation that perhaps you do not want and you cannot work your will on. Now, go ahead and vote for it, but do not complain thereafter. I am opposed to it.

Mr. Speaker, I reserve the balance of my time.

Mr. McCORMACK. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I think the Members of the House have confidence in the intellectual honesty of the leadership on both sides. Certainly, the leadership on both sides falls over backwards, so that no one Member will feel that there has been a sharp practice engaged in, not only next Thursday, Friday, and Saturday but throughout the entire year.

Mr. HALLECK. Mr. Speaker, is the gentleman speaking on his own time?

Mr. McCORMACK. Yes.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I just want to say that I have been here not too long, 25 years. I have been here when my side has been in the majority and I am here now and have been here most of the time when my side has been in the minority. So far as I can remember, this sort of an arrangement has always been worked out, and I have found it to be very successful, bringing about orderly determination of legislative matters before us so that we can adjourn in some sort of a reasonable time. So far as I am concerned, I am for this resolution. I am sorry that objection was raised to it. As far as I am concerned, as minority leader, certainly I have been diligent, as diligent as I might have been expected to be, in doing the things that the people on my side expect me to do. There are many areas where we can work together for the accomplishment of things that are good for the country and need to be done, and certainly in that area I want to cooperate with the majority leader. I want to say to the gentleman from Iowa that we had agreed to suspension a little while back.

I called a meeting of not only the leadership on my side of the aisle but the ranking Republican Members and sent over a list of the bills, one by one, to determine whether or not they should come up under suspension. I think out of that list that was submitted to me there were four or five we thought should not come up under suspension. Certainly it seems to me there is no reason why this sort of resolution should not be adopted and I ask the Members on my side to vote for it.

Mr. GROSS. Mr. Speaker, I yield myself 1 additional minute.

The gentleman from Indiana [Mr. HALLECK] says this is orderly procedure but I say to you it is harsh procedure because under this proposal for suspension of the rules the membership may not have adequate notice as to what legislation is to be brought before the House. I point out to you that this House has met on approximately 9 Fridays during the past 8 months. We could have had orderly procedure; we could have considered far more bills under the 3-day notice rule, so that we would know what is going on, if the Thursday to Tuesday club had not been in operation so much this session. Now we are asked to accept a semigag rule and I protest.

Mr. McCORMACK. I think that is to the credit of the House, acting upon business that has come before the House throughout the weeks.

The SPEAKER. The question is, Will the House suspend the rules and pass the resolution?

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 163, noes 5.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Under the agreement previously made, further proceedings under this resolution will go over until tomorrow.

## COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight tonight, September 7, 1959, to file a report on the bill H.R. 8684, the so-called dealers' reserve bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I have heretofore announced a list of bills that the chairman of the Committee on Ways and Means will sometime this week, and probably tomorrow or Wednesday, call up by unanimous consent. I am adding to that list the bill H.R. 8684 concerning which the chairman of the Committee on Ways and Means has just obtained unanimous consent for the committee to file a report by midnight tonight.

## INCREASED PER DIEM ALLOWANCE FOR TRAVEL

Mrs. GRANAHAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5196) to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes, as amended.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That section 3 of the Travel Expense Act of 1949 (5 U.S.C. 836) is amended by striking out "\$12" and inserting in lieu thereof "\$15".*

SEC. 2. Section 4 of the Travel Expense Act of 1949 (5 U.S.C. 837) is amended by striking out "6 cents" and inserting in lieu thereof "7 cents", and by striking out "10 cents" and inserting in lieu thereof "12 cents".

SEC. 3. The second sentence of section 4 of the Travel Expense Act of 1949 (5 U.S.C. 837) is amended by inserting immediately after "the actual cost of" the following: "parking fees,".

The SPEAKER. Is a second demanded?

Mr. BARRY. Mr. Speaker, I demand a second.

Mrs. GRANAHAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. GRANAHAN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 5196, reported by the Committee on Government Operations, will amend the Travel Expense Act of 1949 to increase the maximum per diem allowance for subsistence and travel expenses for regular Government employees while engaged on official business from the present \$12 per day to \$15 per day. As you know, the per diem is an amount allowed in lieu of reimbursement for certain actual travel expenses including food, hotel rooms, and incidental expenditures. The bill will also permit the reimbursement of the actual cost of parking fees for privately owned







86TH CONGRESS  
1ST SESSION

# H. R. 8343

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8 (legislative day, SEPTEMBER 5), 1959

Read twice and referred to the Committee on Agriculture and Forestry

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## AN ACT

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*  
3   That section 378 (a) of the Agricultural Adjustment Act of  
4   1938, as amended (7 U.S.C. 1378 (a) ), is amended by  
5   adding at the end thereof the following new sentence: "The  
6   former owner of land acquired as described in this subsection  
7   shall not be considered for the purposes hereof to have been  
8   displaced from such land during any period for which such  
9   land is leased to such former owner: *Provided*, That the oc-

1   cupancy of the former owner under the lease follows im-  
2   mediately after his occupancy as owner: *And provided fur-*  
3   *ther,* That if a former owner has been displaced prior to the  
4   effective date of this amendment and no allotment from the  
5   land owned by such former owner has been transferred from  
6   the allotment pool and such former owner leases the land  
7   formerly owned by him prior to one year from the effective  
8   date of this amendment such allotment shall be retransferred  
9   from the pool to such land and the occupancy of such former  
10   owner under the lease for the purposes of this subsection  
11   shall be deemed to have begun immediately after his dis-  
12   placement as owner. The provisions of subsections  
13   344 (m) (2), 353 (e), and 358 (g) shall not be applicable  
14   to allotments on lands held under the lease by a displaced  
15   owner which are subject to the provisions of this amend-  
16   ment."

17       SEC. 2. Section 125 of the Soil Bank Act (7 U.S.C.  
18   1813) is amended by adding at the end thereof the follow-  
19   ing new sentence: "The provisions of this section shall not  
20   be applicable with respect to the leasing of such farmlands  
21   to the former owners thereof."

Passed the House of Representatives September 7, 1959.

Attest:

RALPH R. ROBERTS,

*Clerk.*



---

## AN ACT

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

---

SEPTEMBER 8 (legislative day, SEPTEMBER 5), 1959

Read twice and referred to the Committee on  
Agriculture and Forestry







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

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For actions of February 17, 1960  
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HIGHLIGHTS: Senate committee voted to report bill to increase authorization for special milk program. Senate committee reported bill to require marketing quotas for rice. Sen. Murray and others introduced and Sen. Murray discussed the Hawaii omnibus bill.

## SENATE

1. SPECIAL MILK. The Agriculture and Forestry Committee voted to report (but did not actually report) with amendment H. R. 9331, to increase the authorized maximum expenditure for the special milk program for the fiscal years 1960 and 1961. p. D114
2. RICE MARKETING QUOTAS. The Agriculture and Forestry Committee reported without amendment H. R. 7889, to require marketing quotas for rice when the total supply of rice exceeds the normal supply (under present law marketing quotas go into effect when the normal supply is exceeded by 10 percent ) (S. Rept. 1092). p. 2475
3. WHEAT. The Agriculture and Forestry Committee reported with amendment H. R. 4874, to provide that farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which

the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty (S. Rept. 1094). p. 2475

The "Daily Digest" states that the "Committee announced that it will resume hearings on pending wheat legislation as soon as possible." p. D114

4. ACREAGE ALLOTMENTS. The Agriculture and Forestry Committee reported with amendment H. R. 8343, to require the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain (S. Rept. 1093). p. 2475
5. WEATHER. The Rules and Administration Committee reported S. Res. 262, authorizing the printing of a report on cold-weather agriculture as a document. p. 2475
6. FARM LABOR. The Rules and Administration Committee reported S. Res. 267, authorizing the Labor and Public Welfare Committee to make a study of all matters pertaining to migratory labor. p. 2475
7. GOVERNMENT CONTRACTS. During the debate on civil rights legislation, Sen. Dirksen submitted an amendment to the bill containing various civil rights proposals, including a proposal to establish a Commission on Equal Job Opportunity Under Government Contracts. The proposal provides that the "Commission shall make recommendations to the President and to Government contracting agencies with respect to the preparation, revision, execution, and enforcement of contract provisions relating to ... nondiscrimination in employment." pp. 2488-91
8. DROUGHT RELIEF; CCC. Sen. Williams, Del., inserted his statement and a statement of the Justice Department announcing that Attorney General Rogers "had approved a settlement of Government claims against 14 railroads, arising out of freight charges on shipments by Commodity Credit Corporation of feed for cattle to southwestern drought areas in 1953," under which the Government will receive approximately \$124,000 in refunds on these freight claims. The claims arose over excessive charges by the railroads for the shipment of cotton seed pellets which had been shipped to mills for processing before shipment to the drought areas. pp. 2487-8

#### HOUSE

9. APPROPRIATION. Agreed to a request by Rep. Cannon to allow the Appropriations Committee until midnight Fri., Feb. 19, to file a report on the Treasury and Post Office appropriation bill for 1961. p. 2539
10. PERSONNEL; TAXATION. Passed, with amendments, H. R. 3151, authorizing the Federal government to withhold income taxes imposed by certain cities from the salaries of Federal employees. (pp. 2541-57) Agreed to an amendment by Rep. Green making this withholding applicable in towns of 50,000 or more, instead of 75,000 or more as in the original bill. (pp. 2553-4) Agreed to an amendment by Rep. Schenck which makes the provision of the bill applicable to persons "who are subject to such tax and whose regular place of Federal employment is at a Federal installation ... within the same State as the city if any part of such installation is located within five miles of the corporate limits of such city." (pp. 2554-5) Rejected an amendment by Rep. Miliken making the provisions of the bill applicable to any political subdivision. (p. 2554)



## ACQUISITION OF CROPLAND BY EMINENT DOMAIN

FEBRUARY 17 (legislative day, FEBRUARY 15), 1960.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, submitted the following

### R E P O R T

[To accompany H.R. 8343]

The Committee on Agriculture and Forestry, to whom was referred the bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain, having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill would continue acreage allotments on Government lands continuously leased to the former owners thereof and permit such lessees to produce price-supported crops, as well as allotted crops, just as they could have if the Government had not acquired their lands. Where the Government takes land by eminent domain, or threat thereof, but leaves the former owner in possession under lease, there would appear to be no reason why such former owner should not continue to operate his business as usual during the period of the lease.

As the bill was passed by the House, a former owner who was displaced prior to enactment of the bill and who had not had his allotment transferred to a new farm, would have 1 year to obtain a lease from the Government in order to come within the bill's provisions. In view of the fact that such leasing would require action on the part both of the Government and the former owner after the former owner learned of his rights under the bill, the committee recommends an amendment extending the time in which the lease may be negotiated to 2 years.

Allotments on lands covered by the bill could not be surrendered and reapportioned.

The report of the House Committee on Agriculture is attached.

[H. Rept. 1074, 86th Cong., 1st sess.]

The Committee on Agriculture to whom was referred the bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Page 1, line 9, strike out the period and the quotation marks and insert a colon and the following:

*“Provided, That the occupancy of the former owner under the lease follows immediately after his occupancy as owner: And provided further, That if a former owner has been displaced prior to the effective date of this amendment and no allotment from the land owned by such former owner has been transferred from the allotment pool and such former owner leases the land formerly owned by him prior to one year from the effective date of this amendment such allotment shall be retransferred from the pool to such land and the occupancy of such former owner under the lease for the purposes of this subsection shall be deemed to have begun immediately after his displacement as owner. The provisions of subsections 344(m)(2), 353(e), and 358(g) shall not be applicable to allotments on lands held under the lease by a displaced owner which are subject to the provisions of this amendment.”*

#### PURPOSE OF THE BILL

The purpose of this bill is to correct an inadvertent inequity which occurred in connection with enactment in 1958 of Public Law 85-835, providing a uniform law for the transfer of acreage allotments to new farms when a farm is taken by a public agency having the power of eminent domain. Under this bill, if the owner of the land acquired by the public agency is permitted by that agency to continue to occupy and operate it under lease for some period of time, he will be permitted to continue to grow crops subject to allotment at the time title was acquired by the public agency.

#### NEED FOR THE LEGISLATION

In connection with the acquisition of farmlands for some public purposes, such as for reservoirs it is the practice of agencies acquiring the land to permit the former owner to occupy it and continue farming operations under lease until such time as the land is actually needed for the purpose acquired. In some instances this may be a period of 4 or 5 years or more.

In Public Law 85-835 Congress provided a uniform law under which owners of such lands growing allotted crops could, within a specified time and under certain conditions, obtain similar allotments on new farms acquired by them.

In setting up the procedures to carry out this provision, Congress stipulated that upon the acquisition of any such land by a Federal, State, or other agency having the right of eminent domain, any acreage allotment thereon should be placed in an "allotment pool" and "shall be available only for use in providing allotments for other farms owned by the owner so displaced." By providing for the immediate transfer of the allotment to the pool and its use only for providing allotments for "other farms" owned by the owner so displaced, the law inadvertently prevents a farmer from continuing his usual farming operations under the lease arrangement above referred to. Obviously, Congress had no such intention in enacting the uniform acreage transfer law.

#### COST OF THE PROGRAM

There would be no additional cost as the result of this legislation nor would there be any additional acres planted to allotted crops. The allotments dealt with are already in existence and being planted and, even if the provisions of Public Law 85-835 are not changed, the acreage will go into an allotment pool and be available for allotment pursuant to the provisions of that act.

#### COMMITTEE AMENDMENT

The committee amendment makes three substantive changes in the bill: (1) that the provisions of the bill after the date of its enactment, will apply only to owners whose occupancy of the land is continuous; (2) that if the previous owner was displaced prior to the enactment of this amendment but has not acquired any acreage allotment under provisions of Public Law 85-835, his occupancy will be deemed to be continuous if he leases his former farm within 1 year after the enactment of this amendment; (3) that any allotment held by a former owner under provisions of this amendment will not be subject to release and reapportionment to other producers in the same county.

The committee assumes that in implementing this new amendment the Secretary will make suitable regulations to cover those situations where a part of the farm has been leased under the circumstances covered by the amendment.

#### DEPARTMENTAL POSITION

The Department of Agriculture reported adversely on this bill but its objections were based largely on deficiencies in the bill which the committee believes have been remedied by the adoption of the committee amendments. Following is the text of the Department's report:



DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., August 24, 1959.*

HON. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in reply to your request dated July 24, 1959, for a report on H.R. 8343, a bill relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

This bill would amend section 378(a) of the Agricultural Act of 1958 and section 125 of the Soil Bank Act to provide—

(1) That a former owner of land taken by an agency having the right of eminent domain shall not be considered as being displaced (for purposes of pooling such allotment for later transfer to another farm) during any period such land is leased back to the former owner, and,

(2) That the issuance of restrictive leases (denying the right to grow price-supported crops in surplus supply on Government-owned land) would not be applicable during any period Government-owned land is leased to its former owner.

We oppose enactment of this legislation. Present law provides that the date of displacement occurs when an owner (1) voluntarily relinquishes possession of the land, or (2) is required to relinquish possession, even though he may be permitted to continue to operate the land under lease or rental agreement.

The basic purpose of section 378 is to afford owners of farms with acreage allotments a reasonable opportunity to continue the production of such commodities if their land is taken by an agency having the right of eminent domain. This is accomplished by pooling the allotments at the time of displacement and providing equitable and comparable allotments for other farms owned or purchased by the displaced owner if he so applies within 3 years of date of displacement. The purpose of section 125 and related executive orders is to restrict the production on Government-owned land of allotment and other price supported crops which are in surplus supply.

We feel that the existing provisions of law are generally fair and equitable to both the displaced owners and to the Government. "Displacement" logically takes place when a person no longer occupies land as the owner inasmuch as title has passed to the agency which acquired it under eminent domain, reimbursement has been provided for the former owner, and he does not occupy the land as owner and only at the sufferance, and under conditions prescribed by, the agency. Such land is definitely owned by the agency and if the agency is a Federal one and the land is to be rented, the lease should prohibit the further production of price supported commodities already in surplus supply.



The enactment of this bill would create substantial record-keeping burdens since, in many instances, the former owners would be permitted to lease for many years the land which they formerly owned, usually on a year-to-year basis. Also, it is not clear that the provisions of this bill are not intended to apply to portions of total areas taken by eminent domain. If such is its intent, the resultant administrative burden of separating out and maintaining records on individual tracts would be burdensome. Another major objection is that the bill as worded would permit a former owner to lease back land which he previously owned and grow price-supported crops even though he had not farmed such land continuously since its acquisition.

Numerous applications of present section 378 have been made since it has been in effect. Since the provisions of this bill are not retroactive, and could not logically be made retroactive, enactment would create inequities between owners "displaced" before and after enactment.

The Bureau of the Budget advises that there is no objection to the furnishing of this report.

Sincerely yours,

MARVIN L. McLAIN, *Acting Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

\* \* \* \* \*

#### PRESERVATION OF UNUSED ACREAGE ALLOTMENTS

\* \* \* \* \*

SEC. 378. (a) Notwithstanding any other provision of this Act, the allotment determined for any commodity for any land from which the owner is displaced because of acquisition of the land for any purpose, other than for the continued production of allotted crops, by any Federal, State, or other agency having the right of eminent domain shall be placed in an allotment pool and shall be available only for use in providing allotments for other farms owned by the owner so displaced. Upon application to the county committee, within three years after the date of such displacement, or three years after the enactment of this section, whichever period is longer, any owner so displaced shall be entitled to have established for other farms owned by him allotments which are comparable with allotments determined for other farms in the same area which are similar except for the past acreage of the commodity, taking into consideration the land, labor, and equipment available for the production of the commodity, crop-rotation practices, and the soil and other physical fac-

tors affecting the production of the commodity: *Provided*, That the acreage used to establish or increase the allotments for such farms shall be transferred from the pool and shall not exceed the allotment most recently established for the farm acquired from the applicant and placed in the pool. During the period of eligibility for the making of allotments under this section for a displaced owner, acreage allotments for the farm from which the owner was so displaced shall be established in accordance with the procedure applicable to other farms, and such allotments shall be considered to have been fully planted. After such allotment is made under this section, the proportionate part, or all, as the case may be, of the past acreage used in establishing the allotment most recently placed in the pool for the farm from which the owner was so displaced shall be transferred to and considered for the purposes of future State, county, and farm acreage allotments to have been planted on the farm to which allotment is made under this section. Except where paragraph (c) requires the transfer of allotment to another portion of the same farm, for the purpose of this section (1) that part of any farm from which the owner is so displaced and that part from which he is not so displaced shall be considered as separate farms; and (2) an owner who voluntarily relinquishes possession of the land subsequent to its acquisition by an agency having the right of eminent domain shall be considered as having been displaced because of such acquisition. *The former owner of land acquired as described in this subsection shall not be considered for the purposes hereof to have been displaced from such land during any period for which such land is leased to such former owner: Provided, That the occupancy of the former owner under the lease follows immediately after his occupancy as owner: And provided further, That if a former owner has been displaced prior to the effective date of this amendment and no allotment from the land owned by such former owner has been transferred from the allotment pool and such former owner leases the land formerly owned by him prior to two years from the effective date of this amendment such allotment shall be retransferred from the pool to such land and the occupancy of such former owner under the lease for the purposes of this subsection shall be deemed to have begun immediately after his displacement as owner. The provisions of subsections 344(m)(2), 353(e), and 358(g) shall not be applicable to allotments on lands held under the lease by a displaced owner which are subject to the provisions of this amendment.*

(b) The provisions of this section shall not be applicable if (1) there is any marketing quota penalty due with respect to the marketing of the commodity from the farm acquired by the Federal, State, or other agency or by the owner of the farm; (2) any of the commodity produced on such farm has not been accounted for as required by the Secretary; or (3) the allotment next established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of the commodity produced on or marketed from such farm or due to a false acreage report.

(c) This section shall not be applicable, in the case of cotton, tobacco, and peanuts, to any farm from which the owner was displaced prior to 1950, in the case of wheat and corn, to any farm from which the owner was displaced prior to 1954, and in the case of rice, to any farm from which the owner was displaced prior to 1955. In any case where the cropland acquired for nonfarming purposes from

an owner by an agency having the right of eminent domain represents less than 15 per centum of the total cropland on the farm, the allotment attributable to that portion of the farm so acquired shall be transferred to that portion of the farm not so acquired.

(d) Sections 313(h), 334(d), 344(h), 353(f), and 358(h) of the Agricultural Adjustment Act of 1938, as amended, are repealed, but any transfer or reassignment of allotment heretofore made under the provisions of these sections shall remain in effect, and any displaced farmowner for whom an allotment has been established under such repealed sections shall not be eligible for additional allotment under subsection (a) of this section because of such displacement.

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## AGRICULTURAL ACT OF 1956

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1956".*

### TITLE I—SOIL BANK ACT

SEC. 101. This title may be cited as the "Soil Bank Act".

\* \* \* \* \*

### PRODUCTION ON GOVERNMENT LANDS PROHIBITED

SEC. 125. The President shall, with respect to farmlands now or hereafter owned by the Federal Government, restrict insofar as practicable the letting of such lands for the production of price supported crops in surplus supply. Nothing contained in this section shall prevent the production of such crops on national wildlife refuges under cooperative permits where such production is necessary to maintain satisfactory wildlife populations, especially of waterfowl for beneficial use. *The provisions of this section shall not be applicable with respect to the leasing of such farmlands to the former owners thereof.*







Calendar No. 1136

86TH CONGRESS  
2D SESSION

# H. R. 8343

[Report No. 1093]

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8 (legislative day, SEPTEMBER 5), 1959

Read twice and referred to the Committee on Agriculture and Forestry

FEBRUARY 17 (legislative day, FEBRUARY 15), 1960

Reported by Mr. JOHNSTON of South Carolina, with an amendment

[Omit the part struck through and insert the part printed in italic]

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## AN ACT

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 378 (a) of the Agricultural Adjustment Act of  
4       1938, as amended (7 U.S.C. 1378 (a) ), is amended by  
5       adding at the end thereof the following new sentence: "The  
6       former owner of land acquired as described in this subsection  
7       shall not be considered for the purposes hereof to have been  
8       displaced from such land during any period for which such  
9       land is leased to such former owner: *Provided*, That the oc-

1 occupancy of the former owner under the lease follows im-  
2 mediately after his occupancy as owner: *And provided fur-*  
3 *ther,* That if a former owner has been displaced prior to the  
4 effective date of this amendment and no allotment from the  
5 land owned by such former owner has been transferred from  
6 the allotment pool and such former owner leases the land  
7 formerly owned by him prior to ~~one year~~ *two years* from  
8 the effective date of this amendment such allotment shall  
9 be retransferred from the pool to such land and the occu-  
10 pancy of such former owner under the lease for the purposes  
11 of this subsection shall be deemed to have begun immediately  
12 after his displacement as owner. The provisions of sub-  
13 sections 344 (m) (2), 353 (c), and 358 (g) shall not be  
14 applicable to allotments on lands held under the lease by  
15 a displaced owner which are subject to the provisions of  
16 this amendment.”

17 SEC. 2. Section 125 of the Soil Bank Act (7 U.S.C.  
18 1813) is amended by adding at the end thereof the follow-  
19 ing new sentence: “The provisions of this section shall not  
20 be applicable with respect to the leasing of such farmlands  
21 to the former owners thereof.”

Passed the House of Representatives September 7, 1959.

Attest:

RALPH R. ROBERTS,

*Clerk.*



86<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 8343**

[Report No. 1093]

---

## **AN ACT**

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Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

---

SEPTEMBER 8 (legislative day, SEPTEMBER 5), 1959

Read twice and referred to the Committee on  
Agriculture and Forestry

FEBRUARY 17 (legislative day, FEBRUARY 15), 1960

Reported with an amendment







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

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HIGHLIGHTS: Senate committee reported (on Mar. 25) Interior appropriation bill. House passed general Government matters appropriation bill. House committee reported (on Mar. 25) Labor-HEW appropriation bill. Senate passed bill to require rice marketing quotas when supply exceeds normal supply.

## HOUSE

1. APPROPRIATIONS. Passed without amendment H. R. 11389, the general Government matters appropriation bill for 1961, making appropriations for the Executive Office of the President and sundry Government agencies. (pp. 6093-107) The Appropriations Committee had reported this bill without amendment on March 25 (H. Rept. 1427). (p. 6115)  
The Appropriations Committee reported, on March 25, without amendment H. R. 11390, the Departments of Labor, and Health, Education, and Welfare appropriation bill for 1961 (H. Rept. 1428). (p. 6115) The "Daily Digest" states that this will be acted on by the House on Tues., Mar. 29. (p. D241)
2. FOOD. Rep. Adair commended a film, "Tomorrow's Foodpower," which he calls "interesting and colorful" and a film that "points up the problems which our growing population will create with respect to the production of food in the coming years." pp. 6085-6
3. FARM PROGRAM. Rep. Whitten inserted a statement by a high school student which gives "thought and consideration to farm people, the bulwarks of our Nation." pp. 6110-1

4. TRANSPORTATION. Received a memorial from the Legislature of Alaska requesting "consideration" of "the questions involved with relation to the proper amendments to laws governing interstate commerce affecting the broad problems of transportation to, from and within the newly created State of Alaska." p. 6116
5. WATER; LANDS. Received a memorial from the Legislature of South Carolina asking cancellation of plans "for construction of new dams on the Savannah River; to release certain reservoir lands and to place the control of water in the Clarks Hill Reservoir under local water authority." p. 6116
6. INSPECTION. Received a memorial from the Legislature of the State of Arizona requesting appropriation of "sufficient funds for the purpose of maintaining 24 hours a day, the compound on the international border at Lukeville, Ariz." p. 6116
7. MEAT; DAIRY PRODUCTS. Received two petitions from the Goshen Grange No. 856, Whatcom County, Wash., "recommending legislation be enacted requiring all meat imported, to be sold at retail counters in competition with meat produced in this country, be plainly labeled as imported meat, and requesting action be taken by the Congress to prevent removal of import restrictions on dairy products." p. 6117

SENATE

8. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1961. The Appropriations Committee reported (on Fri., Mar. 25) with amendments this bill, H. R. 10401, which includes items for the Forest Service, saline water research, the Outdoor Recreation Resources Review Commission, and the Virgin Islands Corporation (S. Rept. 1203) (p. 6118). At the end of this Digest is a table showing the Forest Service items, and excerpts from the committee report.
9. RICE MARKETING QUOTAS. Passed without amendment H. R. 7889, to require marketing quotas for rice when the total supply of rice exceeds the normal supply (under present law marketing quotas go into effect when the normal supply is exceeded by 10 percent). This bill will now be sent to the President. p. 6167
10. ACREAGE ALLOTMENTS. Passed as reported H. R. 8343, to require the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain so long as the land remains leased to the former owners of the land. pp. 6167-8
11. WHEAT. Passed as reported H. R. 4874, to provide that farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty. p. 6168
12. RECLAMATION. Passed as reported S. 68, to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either. pp. 6174-5  
Passed as reported S. J. Res. 150, to permit the Secretary of the Interior to continue to deliver water to lands in the 3rd division, Riverton Federal Reclamation project, Wyo. p. 6175



Mr. PROUTY. Mr. President, over by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 256) authorizing the printing of additional copies of the unemployment selected readings prepared by the Special Committee on Unemployment Problems was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 257) authorizing the printing of additional copies of the studies in unemployment prepared by the Special Committee on Unemployment Problems, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 260) to print with illustrations a committee print entitled "Relative Water and Power Resource Development in the U.S.S.R. and U.S.A." was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. PROUTY. Over, by request.

Mr. MORSE. Mr. President, will the Senator from Vermont withhold his objection for a moment?

Mr. PROUTY. Yes.

Mr. MORSE. Mr. President, I believe this is a report which ought to be available in sufficient supply to be used by all Senators, particularly members of the Committee on Foreign Relations. It is an important report from the standpoint of helping to clarify the thinking of some of us on matters with regard to the challenge which Russia is presenting to us in the field of hydroelectric power development. The expenditure involved in connection with supplying the reprint called for is exceedingly nominal in relation to the great value that would flow from an educational standpoint in making the information available. I hope that at an early date we may get the approval of the Senate for the printing of these additional copies of the report.

I wish to say to the Senator from Utah [Mr. Moss] and the other Members of the Senate who went to Russia that they have given us a very valuable report and have performed a great service to the Senate. Not to make this report available in sufficient supply for use by Senators would clearly be pennywise and pound foolish.

The PRESIDING OFFICER. Objection is heard. The resolution will go over.

#### PRINTING OF ADDITIONAL COPIES OF HEARINGS ON EMPLOYMENT, GROWTH, AND PRICE LEVELS

The concurrent resolution (S. Con. Res. 86) authorizing the printing of ad-

ditional copies of the hearings on employment, growth, and price levels was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Joint Economic Committee one thousand additional copies of the hearings on employment, growth, and price levels held by that committee during the first session of the Eighty-sixth Congress.

#### PRINTING OF ADDITIONAL COPIES OF REPORT ON EMPLOYMENT, GROWTH, AND PRICE LEVELS

The concurrent resolution (S. Con. Res. 87), authorizing the printing of additional copies of the report on employment, growth, and price levels was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Joint Economic Committee one thousand additional copies of the report on employment, growth, and price levels prepared by that committee during the first session of the Eighty-sixth Congress.

#### PRINTING OF ADDITIONAL COPIES OF HEARINGS ON ENERGY RESOURCES AND TECHNOLOGY

The concurrent resolution (S. Con. Res. 88), authorizing the printing of additional copies of the hearings on energy resources and technology, was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Joint Economic Committee one thousand additional copies of the hearings on energy resources and technology, held by that committee during the first session of the Eighty-sixth Congress.

#### PRINTING OF ADDITIONAL COPIES OF STUDIES ON COMPARISONS OF UNITED STATES AND SOVIET ECONOMIES

The concurrent resolution (S. Con. Res. 89), authorizing the printing of additional copies of the studies on comparisons of United States and Soviet economies, was considered, considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Joint Economic Committee one thousand additional copies of the studies on comparisons of the United States and Soviet economies, prepared by that committee during the first session of the Eighty-sixth Congress.

#### MARKETING QUOTAS FOR RICE

The bill (H.R. 7889) to require marketing quotas for rice when the total supply exceeds the normal supply was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ELLENDER. Mr. President, I ask unanimous consent that a statement explaining the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR ELLENDER

This bill provides for the proclamation of rice marketing quotas whenever the supply exceeds normal. Existing law requires that supply exceed normal by more than 10 percent before quotas are proclaimed.

Normal supply consists of domestic consumption and exports plus a 10-percent allowance for carryover. This allowance for carryover, which amounts to about 5 million hundredweight, is adequate. Marketing quotas have been in effect for rice since 1955. Their suspension for any year could be anticipated to result in considerable expansion of acreage for that year followed by a difficult readjustment to quotas in the following year. The bill is designed to prevent such a situation.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

#### ACQUISITION OF CROPLAND BY EMINENT DOMAIN

The bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment, on page 2, line 7, after the word "to," to strike out "one year" and insert "two years."

Mr. ELLENDER. Mr. President, I ask unanimous consent that a brief explanation of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR ELLENDER

This bill would continue acreage allotments on lands acquired by agencies having the right of eminent domain so long as they remain leased to their former owners. It would also permit Federal Government lands to be leased to their former owners for the production of price supported crops without regard to section 125 of the Soil Bank Act.

At present where farm lands are acquired by any agency having the right of eminent domain, the allotments on the farm are pooled for use in providing allotments for other farms owned by the former owner of the farm lands so acquired. This is so even though such former owner remains on the farm under lease from the acquiring agency, continues farming it, and operates no other farm. So long as the former owner is allowed to remain in possession, there would seem to be no reason for not permitting him to operate the farm as he has in the past, and the bill is designed to accomplish this purpose. This will minimize the adverse effect of the Government's land acquisition operations on the individual farmer and the community.



Section 125 of the Soil Bank Act prohibits the leasing of Federal Government lands for the production of price supported crops in surplus supply. The bill would exempt from this prohibition lands leased to their former owner.

The committee amendment gives a former owner who is not in possession of the land at the time the bill becomes effective 2 years, instead of 1, to obtain a lease from the Government and qualify for the continuation of allotments on the land.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (H.R. 4874) to amend section 334 of the Agricultural Adjustment Act of 1938, as amended, to provide that for certain purposes of this section, farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPEL. Mr. President, I ask unanimous consent that a short explanation of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

##### STATEMENT BY SENATOR SCHOEPEL

This bill provides for crediting a wheat farmer who exceeds his allotment, but fails to produce a marketing excess, with the same history he would have received if he had produced an excess and stored it to avoid penalty.

Wheat farmers who either keep within their allotments, or store any marketing excess produced by them, are credited for the purpose of future allotments with acreage history equal to their base acreage. Wheat farmers who exceed their allotments and do not store their marketing excess are credited only with history equal to their allotted acreage, and lose the difference between their allotted acreage and base acreage. Wheat farmers who exceed their allotments but suffer a crop failure so that they have no marketing excess should, of course, be in as good a position as farmers producing and storing an excess. However, the law is not now so construed and such farmers receive credit only for their allotted acreage. The bill would correct this situation by providing for their being credited with their full base acreage.

The committee amendment makes no change in substance, but does make it clear that exempt farms, which could not avoid a loss of acreage history by storing any excess they might produce, will similarly not be able to avoid such loss if they have a crop failure. The committee amendment also clarifies the effective date of the bill.

The committee amendment, except for its last two sentences, has been previously approved by the Senate when it agreed to the conference report last year on S. 1968.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That section 334 of the Agricultural Adjustment Act of 1938, as amended, is further amended by inserting a new subsection (d) between subsections (c) and (e) to read as follows:

"(d) For the purposes of subsections (a), (b), and (c) of this section, any farm—

"(1) to which a wheat marketing quota is applicable; and

"(2) on which the acreage planted to wheat exceeds the farm wheat acreage allotment; and

"(3) on which the marketing excess is zero shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty. This subsection shall be applicable in establishing the acreage seeded and diverted and the past acreage of wheat for 1959 and subsequent years in the apportionment of allotments beginning with the 1961 crop of wheat. For the purpose of clause (1) of this subsection, a farm with respect to which an exemption has been granted under section 335(f) for any year shall not be regarded as a farm to which a wheat marketing quota is applicable for such year, even though such exemption should become null and void because of a violation of the conditions of the exemption."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### INCREASE IN EXPENDITURE UNDER THE SPECIAL MILK PROGRAM FOR CHILDREN

The bill (H.R. 9331) to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PROUTY. Mr. President, while I personally favor the bill, I have been requested that it be held over.

Mr. MORSE. Mr. President, will the Senator withhold his objection for a moment?

Mr. PROUTY. Yes.

Mr. MORSE. Mr. President, if we do not get favorable action on the bill on the call of the calendar, I should like to say that it is certainly a bill that ought to be brought up by motion at an early date for consideration by the Senate. I say most respectfully that I do not see how there could be any possible justification for letting the bill die on the calendar. We cannot deny this assistance to

the little boys and girls in the United States who need milk.

It is just as simple as that. It is a great humanitarian bill. We ought to act on it. We ought to provide whatever additional funds are needed to give the boys and girls milk when they need it. I make this statement not from the standpoint of the milk industry, but from the standpoint of the nutritional needs of a lot of little boys and girls in this country to whom we had better be giving some attention, because they happen to be the greatest wealth we have.

Mr. PROUTY. Mr. President, I find myself in perfect and complete agreement with the Senator from Oregon.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have a short explanation of the bill printed at this point in the RECORD.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

##### STATEMENT OF SENATOR ELLENDER

This bill would increase the funds available for the special milk program to \$85 million for the current fiscal year and \$95 million for each fiscal year thereafter. This would be an increase of \$4 million from the \$81 million now available for the current year and an increase of \$11 million from the \$84 million now available for fiscal 1961. Because of expanded participation in the program, these increases are necessary to maintain the current payment rates of 4 cents per half pint for schools participating in the school lunch program and 3 cents per half pint for schools not participating in the school lunch program.

The bill would also make the program permanent. The program was first authorized by the Agricultural Act of 1954 and has been expanded and continued from time to time through fiscal 1961. The program has proved very successful and should now be made permanent.

The committee amendments increase the amount of Commodity Credit Corporation funds authorized by the House bill for fiscal 1961 from \$85 million to \$95 million, make the program permanent, and strike out an authorization for the appropriation of an additional \$15 million for fiscal 1961. Use of a combination of Commodity Credit Corporation funds and appropriated funds would result in unnecessary accounting and other fiscal problems.

The report states that because of the inadequacy of funds now authorized to cover expanded participation in the program a reduction of one-half cent per half pint in reimbursement rates has been announced effective April 1. Since the bill was reported the reduction has been deferred to May 1, but if additional funds should not be authorized by then, the reduction would be 1 cent per half pint.

#### DEPARTMENT OF COMMERCE APPROPRIATIONS, 1961 — BILL PASSED OVER

The bill (H.R. 10234) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1961, and for other purposes, was announced as next in order.







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF  
BUDGET AND FINANCE

(For Department  
Staff Only)

Issued April 1, 1960  
For actions of March 31, 1960  
86th-2d, No. 59

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HIGHLIGHTS: Senator Bennett commended the rural development program.

## SENATE

1. RURAL DEVELOPMENT PROGRAM. Sen. Bennett praised the rural development program as "one of the soundest and most promising farm programs instituted during recent years, and one which is unfortunately receiving far less public attention than it deserves," stated that the program "could well be the answer to the problem we are facing ... that is, the large-scale migration of our citizens to the cities, producing dying communities in some of our rural area," and inserted several items discussing the program, including the interest of Canada in the program. pp. 6508-10
2. D. C. APPROPRIATION BILL, 1961. Agreed to the conference report on this bill, H. R. 10233, and acted on amendments in disagreement. This bill will now be sent to the President. pp. 6451-2
3. CRANBERRY PAYMENTS. Sen. Wiley commended "the announcement made by the White House that the Department of Agriculture will offer to make indemnity payments to cranberry growers who -- through no fault of their own -- sustained losses on berries harvested in 1959," and stated that payments "to the growers will approximate \$8 per barrel of cleaned, marketable cranberries and will be made pursuant to the authority conferred by section 32 of Public Law 320 of the 74th Congress, as amended. Details of this offer to make such payments are expected

to be forthcoming from the Department of Agriculture shortly." pp. 6510-1

4. FARM PROGRAM. Sen. Carlson inserted a Coffey County (Kan.) Farmers Union resolution favoring a "Federal farm price support bill" to provide farmer elected committees from county to national levels, a national food use program, support levels at not less than 90 percent of current parity, and a wide variety of methods to carry out these programs, including Government loans, marketing orders, allotments, incentive payments, and a strong soil conservation program p. 6498
5. NOMINATIONS. Received the nominations of Lester C. Carter and Robert T. Lister to be members of the Federal Farm Credit Board. p. 6556

#### HOUSE

6. CASEIN IMPORTS. Agreed to the Senate amendment to H. R. 7456 which, as amended, extends the existing suspension of import duty on casein only until July 1, 1960, rather than until April 1, 1963, as in the original House bill. This bill will now be sent to the President. pp. 6564
7. WHEAT. Agreed to the Senate amendment of H. R. 4874, to provide that farms on which the farm marketing excess of wheat is adjusted to zero because of over-production shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty. The Senate amendment is technical and clarifies the exemption of 15 acre feed wheat farms from provisions of the bill. This bill will now be sent to the President. pp. 6567-8
8. SPECIAL MILK PROGRAM. House conferees were appointed on authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program. Senate conferees have not yet been appointed.
9. ACREAGE ALLOTMENTS. Agreed to the Senate amendment to H. R. 8343, to require the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain so long as the land remains leased to the former owners of the land. The Senate amendment extended from 1 to a period of 2 years the time which former owners would have to make such a lease and have their allotment returned. This bill will now be sent to the President. p. 6568
10. RYUKYU ISLANDS. Subcommittee No. 2 of the Armed Services Committee reported to the full committee H. R. 1157, to provide for promotion of economic and social development in the Ryukyu Islands. p. D258
11. TRANSPORTATION. Rep. Fascell inserted a speech made by Mr. A. Arpaia, former member of the Interstate Commerce Commission, which calls for a "reorientation of the Government's role in transportation and a complete revision of the law relating to the Government's regulatory function. pp. 6472-3
12. FARM PROGRAM. Rep. Poage criticized two newspapers for using supposed quotes from his bill H. R. 10355, the family farm income bill which, he said, are not found in the bill. He was particularly critical of the article in a Farm Bureau publication and suggested that his fellow Farm Bureau members might "be interested in trying to get leadership in Washington and Chicago which can and will give a more factual and unbiased review of what efforts are being made by the Congress in behalf of the farm people throughout the Nation." pp. 6600-1



ber 29, 1937; reappointed and elected Chairman April 18, 1940; reappointed and elected Chairman March 16, 1945.

Lee Lawrie, sculptor; appointed January 18, 1933, to fill the vacancy caused by the termination of service of Adolph A. Weinman.

John Mead Howells, architect; appointed January 25, 1933, to fill the vacancy caused by the termination of service of John W. Cross.

Eugene F. Savage, painter; appointed February 11, 1933, to fill the vacancy caused by the termination of service of Ezra Winter; reappointed January 26, 1937, and term of service expired March 28, 1941.

Charles A. Coolidge, architect; appointed December 14, 1933, to fill the vacancy caused by the death of John L. Mauran. Mr. Coolidge died April 1, 1936.

Charles L. Borie, Jr., architect; appointed February 17, 1936, to fill the vacancy caused by the termination of service of Egerton Swartwout.

Henry R. Shepley, architect; appointed April 28, 1936, to fill the vacancy caused by the death of Mr. Coolidge; elected Vice Chairman August 10, 1938.

William F. Lamb, architect; appointed January 19, 1937, to fill the vacancy caused by the termination of service of Mr. Howells; reappointed March 24, 1941; elected Vice Chairman May 9, 1941.

Paul Manship, sculptor; appointed January 22, 1937, to fill the vacancy caused by the termination of service of Mr. Lawrie.

Edward Bruce, art critic; appointed January 19, 1940, to fill the vacancy caused by the termination of service of Mr. Moore. Mr. Bruce died January 26, 1943.

Paul P. Cret, architect; appointed April 25, 1940, to fill the vacancy caused by the termination of service of Mr. Borie. Reappointed March 17, 1945. Dr. Cret died September 8, 1945.

John A. Holabird, architect; appointed May 3, 1940, to fill the vacancy caused by the termination of service of Mr. Shepley. Reappointed March 19, 1945. Mr. Holabird died May 4, 1945.

Henry V. Poor, painter; appointed March 29, 1941, to fill the vacancy caused by the termination of service of Mr. Savage.

Ralph Stackpole, sculptor; appointed October 6, 1941, to fill the vacancy caused by the termination of service of Mr. Manship.

David E. Finley, museum director; appointed May 11, 1943, to fill the vacancy caused by the death of Mr. Bruce; reappointed May 16, 1947; reappointed June 4, 1951.

William T. Aldrich, architect; appointed August 30, 1945, to fill the vacancy caused by the death of Mr. Holabird.

L. Andrew Reinhard, architect; appointed August 31, 1945, to fill the vacancy caused by the termination of service of Mr. Lamb.

Maurice Sterne, painter; appointed September 4, 1945, to fill the vacancy caused by the termination of service of Mr. Poor.

Frederick V. Murphy, architect; appointed November 30, 1945, to fill the vacancy caused by the death of Dr. Cret.

Lee Lawrie, sculptor; appointed December 5, 1945, to fill the vacancy caused by the termination of service of Mr. Stackpole.

Joseph Hudnut, architect; appointed June 28, 1950, to fill the vacancy caused by the termination of service of Mr. Clarke.

Edward F. Neild, Sr., architect; appointed June 26, 1950, to fill the vacancy caused by the termination of service of Mr. Aldrich.

Felix W. deWeldon, sculptor; appointed June 26, 1950, to fill the vacancy caused by the termination of service of Mr. Lawrie.

Pietro Belluschi, architect; appointed June 30, 1950, to fill the vacancy caused by the termination of service of Mr. Reinhard.

Elbert Peets, landscape architect and city planner; appointed August 4, 1950, to fill the vacancy caused by the termination of service of Mr. Murphy.

George Biddle, painter; appointed August 8, 1950, resigned August 19, 1951; reappointed to succeed himself January 20, 1953.

#### SECRETARIES AND EXECUTIVE OFFICERS

The officer in charge of public buildings and grounds, ex officio.

Col. Spencer Cosby, U.S. Army, 1910-13; served until detailed as military attaché at the American Embassy, France.

Col. William W. Harts, U.S. Army, 1913-17; served until relieved and assigned for military duty in France.

Maj. C. S. Ridley, U.S. Army, 1917-21.

Lt. Col. C. A. Sherrill, U.S. Army, 1921-22.

H. P. Caemmerer, 1922-54.

Linton R. Wilson, 1954 to date.

#### SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### SPECIAL MILK PROGRAM FOR CHILDREN

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9331) to increase the authorized maximum expenditure for the fiscal years 1960 and 1961 under the special milk program for children, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. COOLEY, POAGE, ABERNETHY, JOHNSON of Wisconsin, HOEVEN, DAGUE, and McINTIRE.

#### FARM MARKETING EXCESS OF WHEAT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4874) to amend section 334 of the Agricultural Adjustment Act of 1938, as amended, to provide that for certain purposes of this section, farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That section 334 of the Agricultural Adjustment Act of 1938, as amended, is further amended by inserting a new subsection (d) between subsections (c) and (e) to read as follows:

"(d) For the purposes of subsections (a), (b), and (c) of this section, any farm—

"(1) to which a wheat marketing quota is applicable; and

"(2) on which the acreage planted to wheat exceeds the farm wheat acreage allotment; and

"(3) on which the marketing excess is zero

shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty. This subsection shall be applicable in establishing the acreage seeded and diverted and the past acreage of wheat for 1959 and subsequent years in the apportionment of allotments beginning with the 1961 crop of wheat. For the purpose of clause (1) of this subsection, a farm with respect to which an exemption has been granted under section 333(f) for any year shall not be regarded as a farm to which a wheat marketing quota is applicable for such year, even though such exemption should become null and void because of a violation of the conditions of the exemption."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

Mr. HOEVEN. Mr. Speaker, reserving the right to object, would the gentleman from North Carolina explain the nature of the Senate amendment?

Mr. COOLEY. Mr. Speaker, the Senate amendment is technical. It does not change the substance of the bill, but merely makes it clear that the bill does not apply to those farms which are exempt from the quotas, that is, the 15-acre feed wheat exemption. It clarifies the effective date of the legislation.

Mr. HOEVEN. And it does not change the substance of the bill whatsoever?



Mr. COOLEY. It does not change the substance of the bill one bit.

Mr. HOEVEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### PRESERVING ACREAGE ALLOTMENTS ON CERTAIN LAND TAKEN UNDER EMINENT DOMAIN

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 8343) relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, strike out "one year" and insert "two years".

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HOEVEN. Mr. Speaker, reserving the right to object, will the chairman explain the nature of the Senate amendment?

Mr. COOLEY. Mr. Speaker, I have a brief explanation prepared which I will be glad to read.

Mr. Speaker, in 1958, Congress enacted a law—Public Law 85-835—providing a uniform policy for the transfer of acreage allotments to new farms when a farm having such an allotment is taken by a public agency having the power of eminent domain. By oversight, no provision was made for instances, which are becoming increasingly common, where the previous owner is permitted to occupy and operate the land under lease until it is actually needed for the purpose for which it was taken.

This bill takes care of such situations by providing that if the former owner is permitted by the acquiring agency to continue to operate the land under lease for some period of time, he will be permitted to grow crops subject to allotment at the time title was acquired by the public agency.

The House bill gave former owners 1 year after the enactment of this bill in which to make such a lease and have their allotment returned. The Senate amendment changes this to 2 years. It is the only change in the bill.

Mr. HOEVEN. Then, Mr. Speaker, my understanding is the Senate amendment only makes this one change, from 1 year to 2 years?

Mr. COOLEY. That is right.

Mr. HOEVEN. Mr. Speaker, I have consulted with the gentleman from Kansas [Mr. SMITH] who is interested in this

legislation and he agrees to the amendment.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### THE LATE HARRY S. TANSEY

(Mr. O'HARA of Illinois asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. O'HARA of Illinois. Mr. Speaker, it is my sad duty to inform the House of the death of Harry S. Tansey. For 23 years he served the House faithfully, many years as one of our doorkeepers. During this long period of loyal service he endeared himself to all the Members. There is deep grief in this Chamber at his passing. His heart was in this House, and now that he has left us the hearts of all are deeply touched. To his wife, his daughter, and his sisters flows our sympathy.

Harry Tansey came from the district that I have the honor to represent and from the ward in Chicago in which for many decades I have had my home. During these years Harry Tansey has been my valued friend, and his brother, the late John P. Tansey, was one of my closest and dearest friends for over half a century.

Last night I visited the funeral home to say my last farewell. Today in Chicago a multitude of men and women in the Second District will be paying the last homage to his memory. He will be missed there, sadly missed, and he will be missed so very much here.

We in this House, in a personal sense, are one family that embraces in a family affection both the Members and those who work in our offices and work with us here in the Capitol. Together we do the work of the Congress. Harry Tansey long was of that family, and long will he be missed.

I yield to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Speaker, it is with a truly heavy heart that I rise today and attempt to express with mere words my genuine sorrow at the death of a longtime and valued friend, Harry S. Tansey. He was a kind and gentle person who loved his fellow man. He served as a Doorkeeper in the House of Representatives for many years and was the senior man in point of service in the House gallery. He also served with the Capitol Police force in the document room and folding room. During his period of service there never was a complaint of any kind ever registered against him as he knew well how to be kind to people.

To his bereaved widow Catherine, to his daughter, Mrs. Catherine Tanner, and family, and to his sisters, Mrs. Kluczynski and myself offer our heartfelt sympathy and condolence.

Mr. O'HARA of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I rise with a great deal of emotion today to pay my respects to the late Harry Tansey. It was just a week ago Sunday that I attended church with him and escorted him for several blocks in a walk toward his home. I feel that with 20 years' service in this body as doorkeeper, and my acquaintanceship with the gentleman during that period and also my friendship with him in the city of Chicago, it was a great shock to learn of his death. I want to extend to his bereaved wife and daughter my heartfelt sympathy.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to take this time to extend my condolences to the widow of Harry Tansey and his daughter and family. Harry was very well liked by all of us here in the Congress and I know that he was very helpful to many of my constituents from Massachusetts. Always very kind and courteous and with a kind word each day to those who visited in the gallery, he will be greatly missed by me and many other Congressmen here in the House.

Mr. O'BRIEN of Illinois. Mr. Speaker, in the death of Harry S. Tansey I have lost a friend of many years. His elder brother, John P. Tansey, was one of the leaders of the Democratic Party in Cook County when I was a young man and our friendship had continued until his death not many months ago. Harry Tansey was a good man and in his 23 years of service with the House he was faithful in the performance of his duty and won the respect and affection of the Members and his fellowworkers.

Mrs. O'Brien joins me in expression of deep sympathy to his wife, his daughter, and his sisters.

Mr. PUCINSKI. Mr. Speaker, I would like to join in the tribute being paid to the late Harry Tansey, a native of Chicago, who for the last 23 years has been one of the most devoted employees in the Congress of the United States.

Mr. Tansey's untimely death will indeed leave a most saddened void in Gallery C, where this kind and gentle employee had served as doorkeeper, of the House of Representatives.

Mr. Speaker, it would be difficult to estimate the thousands upon thousands of people who had occasion to ask Mr. Tansey for guidance during these past 23 years when they made their visits to this Chamber. But I can assure you and my colleagues that no one would find any difficulty in assessing the high regard and respect these people engendered as a result of their meeting Mr. Tansey. He had a unique ability to







Public Law 86-423  
86th Congress, H. R. 8343  
April 9, 1960

AN ACT

Relating to the preservation of acreage allotments on land from which the owner is displaced by reason of the acquisition thereof by a Government agency in the exercise of the right of eminent domain.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 378(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1378(a)), is amended by adding at the end thereof the following new sentence: "The former owner of land acquired as described in this subsection shall not be considered for the purposes hereof to have been displaced from such land during any period for which such land is leased to such former owner: *Provided*, That the occupancy of the former owner under the lease follows immediately after his occupancy as owner: *And provided further*, That if a former owner has been displaced prior to the effective date of this amendment and no allotment from the land owned by such former owner has been transferred from the allotment pool and such former owner leases the land formerly owned by him prior to two years from the effective date of this amendment such allotment shall be retransferred from the pool to such land and the occupancy of such former owner under the lease for the purposes of this subsection shall be deemed to have begun immediately after his displacement as owner. The provisions of subsections 344(m) (2), 353(e), and 358(g) shall not be applicable to allotments on lands held under the lease by a displaced owner which are subject to the provisions of this amendment." Acreage allotments, preservation.  
72 Stat. 995.

Sec. 2. Section 125 of the Soil Bank Act (7 U.S.C. 1813) is amended by adding at the end thereof the following new sentence: "The provisions of this section shall not be applicable with respect to the leasing of such farmlands to the former owners thereof." 74 STAT. 41.  
74 STAT. 42.  
7 USC 1344,  
1353, 1358.

Approved April 9, 1960. 70 Stat. 198.







